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ABSTRACT

This manual provides information on trustees' roles, responsibilities, and relationships with other agencies in the state. Following a foreword and introduction, a historical overview is provided of the North Carolina Community College System, including a description of the system's guiding philosophy of total education, mission statement, objectives, and open door policy. A list is also presented of 14 significant studies that have been conducted on the North Carolina Community College System. Next, 12 elements of trustees' responsibilities are described as establish the mission and goals of the institution, appoint, evaluate, and terminate the president, ensure that the institution is well-managed, approve budgets, raise money, obtain adequate physical facilities, establish educational programs, approve long-range plans, public relations, buffer from external pressures, serve as a court of appeal for system policy, and be informed about system operations. The trustee's working relationships are then reviewed with respect to the Chairman of the Board of Trustees, college presidents, administrative staff, faculty, students, state board members, system president and community college system state-level administration, and the State Attorney General's Office. Next, a job description is provided for the President of the Board of Trustees and procedures for the search and evaluation of the President are detailed. Finally, discussions are provided of financing the community college system and methods for working with and addressing legislators. Appendixes provide a code of ethics, a discussion of the legal responsibility of the local board, a sample trustee audit form, a glossary of terms and acronyms, a recommended reading list of 29 monographs and 8 journals, and a list of presidents of the North Carolina Association of Community College Trustees from 1967 to the present. Contains 11 references. (TGI)

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A Manual for Trustees

NORTH CAROLINA ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES

NCACCT

Role
Responsibilities
Relationships

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A Manual for Trustees

Role
Responsibilities
Relationships

by Helen B. Dowdy
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1996

About the Author

Helen B. Dowdy joined the Department of Community Colleges on July 1, 1963, the first day of its establishment. She managed the departmental services to the State Board of Community Colleges as Assistant to the System President for Board Affairs. She served as liaison with the North Carolina Association of Community College Trustees from its inception in 1968. Upon her retirement in 1991, she became Executive Director of the North Carolina Association of Community College Trustees.

Acknowledgements

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Foreword

Being selected to serve ones community college as a trustee is a distinguished honor and privilege. It carries with it, however, an obligation. For as a trustee in the North Carolina Community College System, a trustee must devote time and energy to build and maintain a vital and necessary learning institution in the community. To fulfill this obligation, an individual must first learn what it means to be a trustee.

A community college trustee is a member of a board empowered as a body corporate to hold in trust the real and personal assets of the community college for the benefit of the students and other citizens of the community and state. The trust concept means that the trustee must put aside personal and business interests when considering matters related to the community college. The corporate concept means that trustees do not act alone, but only in official meetings of the board or upon authorization by the board. Community college trustees render the highest public service when they are governed by these principles in the discharge of their lawful duties and responsibilities.

The North Carolina Association of Community Colleges was organized to provide trustees an organization for furtherance of the aims, goals and development of North Carolina community colleges. Its purpose is to increase public awareness and participation in the community college institutions of North Carolina and to increase the educational opportunities for all North Carolina citizens outside of the public school framework.

An objective of NCACCT is to provide regular channels for the effective exchange of views and understanding among the trustees. Among those channels are meetings, a quarterly newsletter, occasional information releases, consulting services, a handbook, and this trustee manual.

This manual will help trustees understand their role and responsibilities as well as their relationship to other agencies. Other sources of information that should be used along with this manual include General Statute Chapter 115D, other laws enacted by the General Assembly, the North Carolina Administrative Code, which outlines State Board of Community Colleges' policy, and other governmental regulations. The NCACCT Handbook contains information about the system, the association, and a directory of all trustees in the state.

We are pleased to provide you with this manual, and we trust that you will find it a valuable source of information as you perform your duties. Most of the material in this manual was adapted from a previous manual by the same author.

Helen B. Dowdy
Executive Director

January 1996

Introduction

Trustees of a community college represent the entire community served by the institution. The trustees hold the community college in trust for the citizens of the community. The effectiveness of the institution is grounded in the effectiveness of individual members acting as a corporate body in official board sessions. They are special people and the school is fortunate that they were selected to provide leadership. Each one will carry out his duties based largely on his own valuable insights and experiences in education, business, and community life.

Board work is team work. No matter how much influence an individual member exerts, it is the board that bears the legal authority for governing the institution. Ultimate success depends on how well the board functions as a whole.

The board is also part of a much bigger team. It is vital to the success of the entire community college system that the board have a strong working relationship and unity of purpose with the entire constellation of lawmakers,policymakers, administrators, faculty, and students who make up the North Carolina Community College System.

The community college system is made up of 58 community colleges and a Center for Applied Textile Technology with a primary mission to provide the adults and out-of-school youth of North Carolina a comprehensive education.

Chapter 115D of the North Carolina General Statutes provides:

> *...for the establishment, organization, and administration of a system of educational institutions throughout the state offering courses of instruction in one or more of the general areas of two-year college parallel, technical, vocational, and adult education programs ...*

The law further states:

> *The major purpose of each and every institution operating under the provisions of this chapter shall be and shall continue to be the offering of vocational and technical education and training and of basic, high school level, academic education needed in order to profit from vocational and technical education, for students who are high school graduates or who are beyond the compulsory age limit of the public school system and who have left the public schools.*
>
> (Author's note: This sentence was added to the original statute by the 1969 General Assembly.)

The State of North Carolina has assigned state-level governance of the 58 colleges in the North Carolina Community College System and the North Carolina Center for Applied Textile Technology (sometimes referred to as the 59th community college) to the State Board of Community Colleges. The board has full authority to adopt all policies, regulations and standards it deems necessary for the operation of the system and to establish a department of state government to administer these policies, regulations and standards (referred to as "rules" in the North Carolina Administrative Code). The rules of the State Board of Community Colleges are contained in Title 23, Chapter 2, of the North Carolina Administrative Code. A complete set of administrative code rules is available in the office of the president of each college.

The community colleges are established to serve adults and out-of-school youth, age 16 and over. Their primary focus is on comprehensive educational opportunities for those persons. Enrollment in the colleges has grown from 53,000 in 1963 to more than 740,000 in 1994. The system not only prepares people for careers but also provides the first two years of college work, helps train and recruit for new and expanding industry, combats illiteracy, and provides personal enrichment courses.

The system is designed to fill a broad educational need for adult education beyond high school. The system also serves citizens with preparation for transfer to the four-year colleges and universities and with other types of continuing and professional education. Filling this need requires open door admission of high school graduates and out-of-school youth who are 16 years old or older. The door is also open to the school dropout between 16 and 18 years old after a six-month waiting period or earlier upon approval of the local superintendent of schools.

At the heart of the system is the student. The trustees, as policy-makers on the local level, are vitally important in perceiving, communicating, and finding ways to meet the students' needs.

Each college has a board of trustees comprised of at least 13 members. Colleges with satellite campuses in other counties may have up to two additional trustees from each county in which a satellite campus is located. The additional members are appointed by the county commissioners of the county in which a satellite is situated. Of the basic 13 trustees, one is the non-voting ex officio president of the student government association. Four are appointed by the Governor, four are appointed by the local boards of education, and four are appointed by the county commissioners. The appointments are for staggered four-year terms. Only one member of a board of county commissioners may serve.

The board elects the college president, its chief administrative officer. The board governs the college according to standards, regulations, and policies set by the State Board of Community Colleges as well as its own standards, regulations, and policies.

The State Board of Community Colleges has the primary responsibility of establishing the policies and guidelines for the community college system. The State Board has 20 members, 18 of whom are appointed by the governor and General Assembly and 2 ex officio, the Lieutenant Governor and State Treasurer. The system is primarily funded though state appropriations, with additional funding from local and federal governments, tuition, and other sources. The State Board of Community Colleges is responsible for submitting budget requests for the system to the General Assembly.

The North Carolina Community College System administation, headed by the system president, is the state agency that carries out the policies and directions of the State Board of Community Colleges and administers the day-to-day activities of the community college system.

History of the Community College System

Overview

The first study concerning the need for community colleges in North Carolina was made in 1952 by Dr. Allan S. Hurlburt.[1] In the study, Dr. Hurlburt recommended the establishment of a community college system. A bill was subsequently introduced in the legislature in 1953; however, it was defeated.

In 1957, the state began experimenting with state-financed technical institutes of college level to provide technical training. These institutes were to be organized and operated in various regions of the state under the administration and direction of the School of Engineering of North Carolina State College. Funds were appropriated to establish two technical institute in the western and eastern parts of North Carolina. Only the one in the western region, Gaston Technical Institute was established. This approach proved impracticable and inadequate. The college-level objective aimed at too small a segment of a population needing adult education and occupational training.

In 1957, the State Board of Education proposed the development of a system of adult education and occupational training institutions designated "industrial education centers." The plan was to establish such centers in selected public high schools in various counties. The centers were to be financed primarily with state funds for operation and equipment and local funds for building and plant operation. Approximately 20 industrial education centers were established between 1957 and 1963.

By the early 1960s, it became apparent that the state was developing two sets of institutions that originally had different objectives but that were becoming increasingly alike. One was the system of industrial education centers under the State Board of Education, whose students needed general education courses in addition to their technical-vocational curricula. The other was the system of six existing community junior colleges under the State Board of Higher Education. The potential for duplication of programs under that arrangement was obvious and called for remedy.

In 1961, Governor Terry Sanford appointed the Governor's Commission on Education Beyond the High School (Irving E. Carlyle, chairman) to study methods for improving and expanding educational offerings at the post-high school level. This commission recommended that the two types of institutions be brought into one administrative organization under the State Board of Education and local boards of

trustees.[2] In this way, all of the state's two-year higher educational needs (whether technical, vocational or academic) could be developed under one administration and one education system—the comprehensive community college system.

In the fall of 1961, the Governor's Commission on Education Beyond the High School and the Board of Higher Education requested Dr. C. Horace Hamilton, Reynolds Professor of Rural Sociology at North Carolina State University, to make a study of enrollment projections for North Carolina colleges and universities. As part of this study, Dr. Hamilton was asked to determine the possible need for additional tax-supported institutions. This valuable study was completed in January, 1962, and its findings greatly influenced the Carlyle Commission's recommendation to establish a comprehensive community college system. It was also used by the State Board of Education as one of the bases for approving new community colleges following the enactment of the 1963 Community College Act.[3]

On May 17, 1963, the North Carolina General Assembly enacted the Community College Act of 1963, General Statutes 115A (later changed to 115D). Under this law, the State Board of Education created the Department of Community Colleges and brought under its supervision the 20 industrial education centers and three of the existing community colleges. (The other three community colleges became four-year institutions in 1963.) Between 1964 and 1968, all of the industrial education centers became technical institutes or comprehensive community colleges. Since 1963, other institutions have been added to the system, and several technical institutes have become community colleges with legislative sanction.

Legislation enacted in 1979 authorized a technical institute to change its title to "technical college" by action of its board of trustees and the board of county commissioners. Also in 1979, the legislature established a separate State Board of Community Colleges, which became the governing board of the system on January 1, 1981.

In 1987, the General Assembly transferred licensing and supervision authority of proprietary schools from the State Board of Education to the State Board of Community Colleges.

The 1991 General Assembly placed the North Carolina Center for Applied Textile Technology in the community college system and subject to the policies and regulations of the State Board of Community Colleges. The Center is managed by a board of trustees, consisting of the President of the North Carolina System of Community Colleges and nine members appointed by the Governor.

With the strong influence of community college trustees, the North Carolina voters passed a $250 million dollar bond referendum for facilities at community colleges. When the final count was tallied, the

community college bond achieved a 56 percent passing rate, thus revealing the high esteem in which voters held community colleges.

The 1995 General Assembly appropriated the Community College System one of its best current operating budgets in the history of the system. The reduction in the Continuation Budget was the lowest (.9%) of all educational agencies. The Expansion Budget totaled $11,031,685 in Recurring funds for both 1995-96 and 1996-97 and $15,551,317 in Non-Recurring funds for 1995-96. The $23.9 million in remaining bond funds were distributed to each community college on the same basis as the $226.1 million with the provision that any community college that does not meet its local matching requirements for a capital improvement project by July 1, 1998, will revert its bond funds to a special community college bond account in the Office of the State Treasurer. A bill (House Bill 914) was passed to amend Chapter 115D to improve and strengthen the boards of trustees.

The NCACCT, as in past years, played a major role in informing legislators in 1994-95 of college financial support needs. The increased resources will enable the colleges to render improved education to its students.

Guiding Philosophy of Total Education

From its inception the community college system has operated under an open door policy based on the philosophy of total education for North Carolina citizens. The following statement was written by Dr. Dallas Herring, former chairman of the State Board of Education, and has been used as the guiding philosophy of the system through the years:

> *The only valid philosophy for North Carolina is the philosophy of total education: a belief in the incomparable worth of all human beings, whose claims upon the state are equal before the law and equal before the bar of public opinion, whose talents (however great or however limited or however different from the traditional) the state needs and must develop to the fullest possible degree.*
>
> *This is why the doors to the institutions in North Carolina's system of community colleges must never be closed to anyone of suitable age who can learn what they teach. We must take the people where they are and carry them as far as they can go within the assigned functions of the system. If they cannot read, then we will simply teach them to read and make them proud of their achievement. If they did not finish high school*

but have a mind to do it, then we will offer them a high school education at a time and place convenient to them and at a price within their reach. If their talent is technical or vocational, then we will simply offer them instruction, whatever the field, however complex or however simple, that will provide them with the knowledge and the skill they can sell in the marketplaces of our state, and thereby contribute to its scientific and industrial growth. If their needs are in the great tradition of liberal education, then we will simply provide them the instruction, extending through two years of standard college work, which will enable them to go to a university or to a senior college, and on into life in numbers unheard of in North Carolina. If their needs are for cultural advancement, intellectual growth, or civic understanding, then we will simply make available to them the wisdom of the ages and the enlightenment of our times and help them on to maturity.

Open Door Policy

The late Dr. I. E. Ready, first director (system president) of the Department of Community Colleges, explained the open door policy of the system:

Universal educational opportunity through the high school has for some time been considered a necessary service of government. Beyond the high school, however, educational opportunity has been selective. For the most part, only educational programs leading to a baccalaureate and advanced degree have been provided, and costs to the student as well as scores below the cutoff point on admissions tests have been roadblocks to many students.

By establishing the system of technical institutes and community colleges, the North Carolina General Assembly of 1963 has made it possible to extend universal educational opportunity beyond the high school. Any person who is 18 years old or older, whether a high school graduate or not, can find in one of these institutions an educational opportunity fitted to his ability and his needs.

That is what the open door admission policy means. For any applicant who seriously wants and needs more education, the door of the institution is open. After admission, he is tested and

counseled, not in order to reject him if he does not meet a set of educational standards, but to help him get placed in the educational program for which his ability, his previous educational background, and his objectives in life best fit him.

This counseling service is the first of three essential parts of an open door institution. The student must be helped to find the educational program that is best for him. If he is found ready, he can enter directly the program of his choice. If he is found not ready, his choice, may be redirected to another program better fitted to his ability, educational background, and needs. If he has the potential ability but has certain educational deficiencies, he can be directed to a basic educational program in which he can make up his deficiencies, he can then enter the program of his choice.

The second essential part of an open door institution is a broad curriculum that offers many different types and levels of educational programs. It would be foolish and wasteful to open the door of all programs to all applicants. There must be a reasonable prospect of success for the student, because the graduation standards are set at whatever the next step required, whether it is transfer to a four-year college or university, or successful entrance into a job. Many doors within the institution opening into different vocational programs must therefore be provided, with the one door to basic elementary- and secondary-level studies open to all who need a second chance in order to make up deficiencies.

The breadth of curriculum offerings extends from college transfer to basic adult education programs, and the only difference among different types of institutions is in the breadth of curriculum offerings. The community college is the most comprehensive and the technical institutes the more limited. In all other respects they are alike.

An important point is that each area of instruction is given equal status. The needs of the student are the only things that matter. The teaching of reading to an adult who cannot read is just a much "quality education" for him as the preparation of a student to succeed as a junior in a four-year college is "quality education in the college transfer program.

This leads to the third essential feature of an open door institution—high quality instruction that has as its objective the highest possible educational development of the individual student. Teachers must be good teachers, well-educated themselves in the subjects they teach, skilled in the art of teaching, and deeply concerned that their students succeed in their educational tasks. Universal education opportunity beyond the high school through the open door policy will mean little unless this goal is accomplished.

North Carolina has in the technical institutes and community colleges the institutions through which universal educational opportunity can be extended beyond the high school.

STATE BOARD OF COMMUNITY COLLEGES

Mission Statement

The mission of the North Carolina Community College System is to open the door to opportunity for adults seeking to improve their lives and well being by providing:

- education and training for the workforce, including basic skills and literacy education, occupational and pre-baccalaureate programs;
- support for economic development through services to business and industry; and
- services to communities which improve the quality of life.

(Adopted by the State Board of Community Colleges on November 18, 1993)

Policy Concept

The fundamental concept of the community college system of North Carolina is based on the policy that all institutions shall have an "open door."

The institutions of the community college system shall, as needed, provide comprehensive learning opportunities for the people of their communities. This education takes place in the normal environment of people living in their communities and throughout the different ages and conditions of life of the people of the community.

The community college system in North Carolina shall serve primarily those persons beyond the normal high school age, 18 years old or older, whether they are high school graduates or not, by offering appropriate,

economical, and convenient learning opportunities.

These opportunities range, depending on individual needs and previous educational achievement, from the first-grade level through the second year of college, including occupational and general adult training to all of the suitable age who wish to learn and can profit from the instruction provided.

(North Carolina Administrative Code 2B.0101)

Objectives

The purpose of the community college system is to extend universal educational opportunities beyond the public school system. The objectives of this stated purpose are to provide:

- Expanded educational opportunities from first grade through high school and beyond high school for young people and adults who would not otherwise continue their education;
- Relatively inexpensive, nearby educational opportunities for high school graduates, non-high school graduates, and adults;
- College transfer programs, consisting of the first two years of regular college studies;
- Technical programs, preparing students for jobs in industry, agriculture, business, government, and service occupations;
- Vocational programs preparing students for jobs requiring varying levels of ability and skills;
- Occupational education programs for employed adults who need training or retraining, or who can profit from the program; and
- Courses that will meet the general adult and community service needs of the people of the community.

(North Carolina Administrative Code 2B.0102)

State Board Chairmen and System Presidents

Through the years, the community college system has been guided by several outstanding board chairmen and system presidents. They are:

State Board of Education

William Dallas Herring *1963-77*
James C. Green *1977*
H. David Bruton *1977-80*

State Board of Community Colleges

Carl Horn, Jr. *1980-83*
John A. Forlines, Jr. *1983-89*
William F. Simpson *1989-1993*
Dennis A. Wicker *1993-Present*

System Presidents

I. E. Ready *1963-1970*
Ben E. Fountain, Jr. *1971-78*
Charles R. Holloman *1978-79*
Larry J. Blake *1979-83*
Robert W. Scott *1983-1994*
Lloyd V. Hackley *1995-Present*

Significant Community College Studies

A Conceptual Model for Planning in North Carolina Public Community Colleges and Technical Institutes

by Marcus Daniel Allred, Department of Education, Duke University, Dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Education in the Department of Education in the Graduate School of Duke University, 1977.

An Assessment of Goals and Major Policies of the North Carolina Community College System as a Basis for Long-Range Planning

by Terrence A. Tollefson. Unpublished Ph.D. dissertation, University of Michigan, 1975.

A Guide to the Further Development of Industrial Education Centers in North Carolina

A Report of A Study of the North Carolina Industrial Education Centers, directed by Lynn A. Emerson, Department of Curriculum Study and Research, State Board of Education, Raleigh, North Carolina, 1963.

A Narrative History of the North Carolina Association of Community College Trustees

by Jon L. Wiggs and Caroline M. Wiggs, Cary, North Carolina, 1994.

Community College Study

by Allan S. Hurlburt, Issued by the State Superintendent of Public Instruction, Raleigh, North Carolina, September 22, 1952.

Community Colleges for North Carolina: A Study of Need, Location, and Service Areas

by C. Horace Hamilton for the North Carolina Board of Higher Education and the Governor's Commission on Education Beyond the High School, Raleigh, North Carolina, 1962.

Educational Leadership for the Future

Recommendations for the North Carolina Community College System Report of Advisory Committee, Gerald B. James, Chairman, Department if Community Colleges February, 1989.

Gaining the Competitive Edge: The Challenge to North Carolina's Community Colleges

A Report of the Commission on the Future of the North Carolina Community College System, by Sherwood H. Smith, Jr., Chairman, Raleigh, North Carolina, February 1989.

Planning for the North Carolina Community College System, Volumes I, II, and III

by Alvin M. Cruze, Research Triangle Institute, Raleigh, North Carolina, June 1970.

Report of the Community College and Technical Institute Planning Commission

by Terry Sanford, Chairman, Raleigh, North Carolina, May 1980.

The Community College System in North Carolina: A Silver Anniversary History, 1963-1988

by Jon Lee Wiggs, Raleigh, North Carolina, 1989.

The North Carolina Community College Study: Mission, Enrollment and Staffing Patterns, Funding Procedures, and Administration and Governance

by Junius A. Davis, Alvin M. Cruze, John E. S. Lawrence and Karla Colegrove, Research Triangle Park, North Carolina, 1986.

The Report of The Governor's Commission on Education Beyond the High School

by Irving E. Carlyle, Chairman, Raleigh, North Carolina, 1962.

Total Education: The Duty of the State

Report of the Commission on Goals for the North Carolina Community College System, by Edgar J. Boone, Chairman, Raleigh, North Carolina, March 1977.

The Trustee's Work

Although board members come from diverse backgrounds, they all share one common bond — a concern for the welfare of the institution they serve. It is a responsible job and requires a commitment of time and energy. This chapter is an attempt to identify some of the major responsibilities of trusteeship.

1. Establish the Mission and Goals of the Institution

Every institution was founded for a purpose — to provide courses of instruction in one or more of the general areas of two-year college parallel, technical, vocational, and adult education programs. This should be the basis of the mission statement adopted by the board. To this can be added the unique needs of the community that can be addressed by the college. Goals of how to accomplish the mission should be established and reviewed periodically as needs of the community and students change. Trustees are the guardians of this mission, and they must make sure that the college's programs conform to its purpose and that funds are expended accordingly.

2. Appoint, Evaluate, and Terminate the President

The president is the most significant employee of the board of trustees. This person is delegated the authority to manage and administer the college in accordance with policies adopted by the board. There are many methods used in selecting and evaluating presidents. Although we have not attempted to describe any of these in this book, we have outlined in a separate chapter the requirements of the State Board of Community Colleges in these areas.

3. Ensure that the Institution Is Well Managed

Trustees should not become involved in the management of the college but should be certain that it is well managed. The board should ensure that the president employs a competent professional staff to assist him or her in operating the affairs of the school. The college will be under continuous scrutiny by faculty, students, staff, trustees, alumni, and the general public. An alert and conscientious board will quietly counsel with the president when problems arise. In many instances this can prevent crises from occurring.

4. Approve the Budget

The president should keep the board fully informed of the financial status

of the college. He/she should present the board with statements of income and proposed expenditures. To exercise financial responsibility, board members need to understand what these statements mean; therefore, they should be accurate and intelligible. When the board receives this information, it is obligated to make whatever decisions are necessary to meet the financial obligations of the college. This is a legal obligation of all trustees. The newer and less experienced ones may defer to the judgment of the more experienced trustees, but they may not relinquish their responsibility. They share equally for the financial health of the institution.

5. **Raise Money**

It is more pleasant to add services than to take them away. It is, therefore, necessary that the board of trustees understand their responsibility to increase the flow of money from private gifts and public appropriations. A sound fund-raising plan must be established and each trustee must participate. Trustees should help by making contributions and by asking others to give. They will need to be in close contact with their state and federal senators and representatives when they are considering budget requests. Trustees, individually and collectively, can be very influential people if they carefully organize their activities to assist in this endeavor.

6. **Obtain Adequate Physical Facilities**

Land and buildings are needed by every college. A master plan should be developed consistent with the educational goals and programs of the college. While the board does not need to be involved with the details of construction projects, it must determine what land should be purchased, select the architect to design the buildings, approve the plans, stay abreast of the progress during construction, and make whatever decisions are necessary to ensure that the finished product meets all the legal specifications and standards set by the board. Once the building is complete the board should provide adequate resources for the maintenance of the facilities.

7. **Establish Educational Programs**

All educational programs established by the trustees should be in keeping with the mission of the institution. Trustees should monitor their success. This can be done best by asking questions. Are they serving the needs of the community in ways that will ensure support? Are there any programs that need to be added or phased out? What kind of students are being recruited? How do we compare with other institutions that offer these courses? In times of retrenchment, what programs should be eliminated and what other retained? Examples of warning signals to look for are a

drop in enrollment or a decline in the success of students obtaining employment or transferring to senior institutions.

A couple of cautions should be mentioned. Trustees should approve educational policy; they should not become involved in implementing it. While they make the final decision, they should rely heavily on the recommendations of the president and faculty, as their jobs center on the needs of education in general and their institution in particular.

8. Approve Long Range Plans

Trustees should establish long range plans. North Carolina Administrative Code Rule 2B.0205 states that "each member institution of the community college system shall operate in accordance with a long-range plan. As a minimum, the plan shall address program and facility needs and shall be submitted to the department in accordance with its procedures. The plan should be reviewed periodically for the purpose of making revisions to assure its continued validity." The plans should be comprehensive, thorough and realistic. Although the final approval of the plans rests with the trustees, the president should be responsible for preparing the plan for the board of trustees.

9. Public Relations

Trustees can be the most powerful advocates the institution has. They are leaders in the community and are in a position to give and receive information about the institution. The citizens in the community are eager to know how they can benefit from the services of the institution. Trustees can interpret these services to them and bring to the president their needs and concerns.

10. Buffer from External Pressures

The board (of trustees) must not be subject to undue pressure from political, religious or other external bodies. Furthermore, the governing board should protect the administration from similar pressures. (criteria of the Southern Association of Colleges and Schools under Section VI—Administrative Processes, 6.1.2—Governing Board)

11. Serve as Court of Appeal

Trustees have final legal authority. Therefore, no one other than the courts or the legislature can challenge their decisions. The board should adopt policies on personnel appointment, promotion, leaves of absence, and codes setting forth student rights, privileges, and obligations. These policies should be clearly published and disseminated and include a provision for due process. Once this is done, trustees should not become

involved in internal decisions and disputes until an appeal is made to the board or a case is filed in court. When this occurs, the board must be sure all proper procedures have been followed. Then the board must decide the issue or share in the institution's defense. For this and other reasons, the board should retain legal counsel.

12. To Be Informed

First, trustees need to understand how a public community college, technical college or technical institute operates. Educational institutions are not run like businesses, as new trustees soon discover. Second, trustees need to know as much as possible about their own institutions—its history, mission and goals, programs, finances, physical assets, sources of students, major problems, and future prospects. The president will provide trustees with this information. Third, trustees need to know the issues facing community and technical college education in general, particularly those that will affect their college. They can get this from reviewing national and state publications and attending regional, state and national meetings.

The Trustee's Working Relationships

Trustees must possess a genuine desire to provide public service to others and commit themselves to carrying out the legal, ethical and moral obligations of the job. It will take many hours each year to serve the educational and social needs of the board's constituents. The rewards are found in the knowledge that the welfare of the individuals served are being enhanced.

Specific expectations of all trustees include:

- Representing a broad cross section of the community,
- Representing the institution, its aspirations, its students, and the taxpayers.
- Speaking for the board only when they have been delegated to do so. Unless otherwise specified by vote of the Board, this is the chairman's responsibility.
- Being a liaison between the institution and the community,
- Informing the community of the financial needs of the institution and supporting all efforts for sound financial backing,
- Attending board meetings regularly and promptly,
- Reviewing all materials sent out in advance of the meeting in order to make intelligent decisions,
- Being willing to serve on committees, and
- Being active and supportive of political movements at the local, state, and national level concerning specific laws and funding of community college system institutions.

Chairman of the Board

Although the expectations of a chairman vary from board to board, certain duties are common to all. The chairman should have proven leadership ability which is usually exhibited by a successful career, knowing how to work with people, how to solve problems, and/or how to delegate responsibility and authority. The chairman should be able to preside at meetings and should have the time available to do an effective job.

Specific duties include:

- Presiding at all meetings,
- Appointing committees,

- Facilitating discussion and decision making,
- Working closely with the president in setting the agenda for meetings,
- Acting as liaison with the president,
- Serving as spokesman for the board,
- Serving as representative of the board,
- Consulting with other trustees who are not fulfilling their responsibilities, or who are violating the bylaws, policies, and practices;
- Initiating periodic evaluation of the president and the board; and
- Providing counsel and consultation to the president.

President

The president, the chief administrator of the institution, is employed by the board of trustees and serves either on contract or at the pleasure of the board. All business of the institution should be conducted between the board and the president. There should never be more than one chief executive directly responsible to the board. If the president is to function as a competent leader of the institution, a mutual, friendly president-trustee relationship must exist. While there should be a general understanding that the board will accept advice from all sources, this advice should be communicated through the president.

> *"That the president is virtually the sole or at least the responsible means of communication between the board and the rest of the institution is administratively sound, if for no other reason than that any other system is worse ....For the board to give subordinate administrative officers independent access to it or seek information except through the president are sure ways to undermine the administrative authority of the president; and, ultimately, the board's confidence in him. Nothing will make an institution quiver to its foundations more quickly than evidence or rumor that the board relies more confidentially upon someone else than it relies upon the president."* •

• "Harold W. Stoke, *The American College President*, New York, Harper Brothers, Publishers 1959 (as cited by John H. Blackmon in *Trustees Responsibilities for Community Colleges & Technical Institutes of the North Carolina Community College System*, August, 1976).

The president's educational leadership provides direction for all elements of the institution—the staff, the faculty, and the trustees. As a professional administrator with special education and experience, the president is responsible for bringing into focus the long-term, overall vision of the institution and the community college system.

Administrative Staff, Faculty, and Students

The administrative staff and faculty of the institution are directly responsible to the president and should conduct their business with the board through the president. Any attempts to circumvent the proper chain of command will weaken the institution and create division. The most important service the staff and faculty can provide to the board is that of understanding and supporting the role of the institution. A fundamental responsibility of the board is to provide the staff and faculty with adequate policies, rules, and regulations for the efficient and effective operation of the institution. Trustees, administrative staff, and faculty relationships will then be strengthened by the president if he provides a satisfactory channel of communication to the trustees.

The education of the students is the sole purpose of the existence of the institutions. Their needs must be the basis for all decisions. Trustees should adopt student personnel policies that provide unity of student personnel administration, support for the purposes and programs, clear admission requirements, sound record keeping, and a strong guidance and counseling program consistent with the open door policy. The trustee-student relationship is very important. In order to develop academic excellence, the trustees must understand, appreciate, and maintain close communication with the students.

State Board of Community Colleges

The General Assembly of the State of North Carolina has assigned the institutions in the North Carolina Community College System to the State Board of Community Colleges with full authority to adopt all policies, regulations, and standards it deems necessary for the operation of the system and to establish the Department of Community Colleges to administer them (G. S. 115D-5). The law also requires that a board of trustees be appointed to be the institution's governing board (G.S. 115D-12).

The legislative establishment of the State Board of Community Colleges and the institutional boards makes it necessary for them to work together. While this happens in various ways, one primary avenue of

communication is through the statewide organizations of presidents and trustees. A representative of each of the organizations serves on each SBCC standing committee as a non-voting member. Trustees and presidents are represented at the regular monthly meetings of the State Board of Community Colleges. The system president attends and participates in meetings of each of the associations. Members of the State Board of Community Colleges are invited and encouraged to attend these meetings. In addition, frequent informal discussions are held with presidents about ideas, problems, proposed policy changes, etc.

The State Board of Community Colleges adopts budget priority needs for the system and, through the system president, presents these needs to each session of the General Assembly. The priorities are developed in consultation with institutional presidents, trustees, and departmental personnel.

System President and Community College System State-Level Administration

Chapter 115D of the General Statutes requires the State Board of Community Colleges to establish a Department of Community Colleges for state-level administration of the policies, regulations, and standards it adopts for the operation of the community college system. The system president is appointed by the board as its chief administrative officer to assist in developing and formulating policies and programs for the system as well as the method of distribution of funds. These, along with his many other responsibilities, make it necessary to maintain close coordination with trustees and presidents in order to develop proposals that reflect the needs of the institutions. The system president is the key link between the State Board of Community Colleges and the local institutions.

Attorney General's Office

The attorney general serves as legal counsel for the state and agencies of the state. His office, for example, represents and advises the University of North Carolina, the State Board of Community Colleges, and the State Board of Education. The attorney general does not, however, serve as legal counsel for local governmental agencies, including community colleges and public school systems. These local agencies should be represented by private attorneys.

While the attorney general does not serve as legal counsel for local agencies, his office does provide some legal services for community colleges. These include (1) issuing formal and informal opinions to

trustees, administrators, and attorneys about specific questions of law; (2) discussing legal issues with trustees, administrators, and attorneys by telephone; and (3) consulting with attorneys about litigation.

Requests for legal services from the attorney general's office should be addressed to Thomas J. Ziko, Special Deputy Attorney General, Department of Justice, Post Office Box 629, Raney Building, Raleigh, North Carolina 27602, (919) 733-7387.

Institute of Government

The Institute of Government of the University of North Carolina at Chapel Hill provides trustee training in the area of community college law. The Institute sponsors law conferences as requested by the North Carolina Association of Community College Trustees. For other services available to boards of trustees, including consultation, address request to Bob Joyce, Assistant Director, Institute of Government, Campus Box 3330, Knapp Building, University of North Carolina, Chapel Hill, NC 27599-3330 or telephone 919-966-6860.

The Board of Trustees and Its Performance—Self-Evaluation

Much attention has been given to trusteeship in recent years. There are a number of publications by nationally known authorities that provide insight into the nature of the responsibilities. One phase of trusteeship generally accepted as valuable but often neglected is that of self-evaluation. It is a sensitive point. If the board itself does not take the initiative to do this, who can? The president certainly cannot. The faculty and students may want to, but how? If an outsider suggests it, he is considered a troublemaker. And the board itself often does not realize the benefits that could be derived from such an exercise. In addition to examining its own performance, it is a good time to review the decisions the board has made during the year and the effectiveness of these decisions.

The process of accreditation by the Southern Association of Colleges and Schools provides for a self-study of the institution. With the growing trend toward more formalized evaluation of presidents, it seems natural that another important component in the assessment process is trustee self-evaluation. This concept is beginning to take hold. Procedures and guidelines have been developed and are available in printed form. Consultants are available to assist in the process. For more information, contact the NCACCT office. As a guide, a sample evaluation form is included in the appendices. The board may want to develop its own format to conduct its self-evaluation.

The President—Job Description, Search, and Evaluation

The job of the president is complex and demanding. A description of the specific duties varies from institution to institution; however, there are many general responsibilities that can be used to form the basic outline of a job description. An illustration of a job description is show below.

Job Description

The president should have full authority and responsibility for the development of the institution under the policies and regulations of the board of trustees and of the State Board of Community Colleges.

Duties should include:

- Responsibility for all administrative and managerial aspects of the institution.
- Responsibility for sound fiscal management. Advising the board of financial and budgetary needs of the institution and recommending the items to be included in the current expense budget and the capital outlay budget.
- Responsibility for recommending the employment and dismissal of all employees.
- Recommending policies to the board when deemed to be in the best interest of the institution and/or when requested to do so by the board.
- Taking the initiative in shaping and maintaining the educational policies and the character of the institution and recommending changes in the programs and services provided by the institution.
- Recommending curriculum programs and other educational programs deemed in the best interest of the citizens of the area and the State of North Carolina. These programs should be educationally and financially feasible and should not conflict with state law or with standards of the State Board of Community Colleges.
- Appointing lay advisory committees as needed.
- Consulting with the board chairman on agenda for the meetings of the board.
- Receiving and accepting for the board private donations, gifts, bequests, and the like; applying them or investing any of them and applying the proceeds for purposes and upon terms the donor may

prescribe consistent with statutory provisions and regulations of the State Board of Community Colleges; and maintaining proper records of all such transactions as information for the board on the receipt and disposition of all such gifts.

- Signing all degrees, diplomas and certificates awarded by the institution and securing the signature of the chairman of the board of trustees on these documents.
- Establishing such rules and procedures for the institution as may be necessary to implement the policies and regulations of the board of trustees and the State Board of Community Colleges and providing each trustee with copies of all such rules and procedures in the form of a manual.
- Discharging any other functions the board delegates.

Presidential Search

A successful search is contingent upon careful planning, well-organized procedures, and a substantial amount of time and work on the part of those assigned to the task. A decade or so ago, many boards would select a president in an informal manner. This is no longer considered to be the most desirable approach for many reasons. One of the most important reasons is to ensure equal employment opportunity and to comply with affirmative action policies. Another is to allow those associated with the institution an opportunity to express opinions about the kind of talent needed at that particular stage in its life.

There is no one best method of searching for a president. The best procedure for one institution may not be the best for another. One of the first decisions a board must make is whether to conduct its own search or to employ the services of consultants.

According to North Carolina General Statute 115D-20(1), the college board's election of a president is subject to the approval of the State Board of Community Colleges. The salary paid from state funds is set by the president of the North Carolina Community College System. To ensure that the search process meets all state-level requirements, the board chairman must notify the system president as soon as a resignation becomes known and arrange an appointment to discuss a process for appointing a successor.

All official communications should be from the chairman of the board of trustees or the chairman of the search committee to either the system president or the chairman of the State Board of Community Colleges. The Community College System Administration has entered into an agreement with the North Carolina Office for Civil Rights regarding

hiring practices. The selection and employment of a new president must conform to the terms of the agreement. The State Board of Community Colleges, therefore, adopted the following process for the search and selection of presidents.

Process for Selection of New Presidents by Boards of Trustees of Community Colleges in North Carolina

(Amended June 14, 1990)

Although the State Board of Community Colleges has delegated full authority and responsibility to the college boards of trustees to select the president, the Board wishes to work in close harmony with boards of trustees in order to have an opportunity to express its views during the search process.

A. When a presidential vacancy occurs or is anticipated and the college board of trustees establishes a search committee, the system president or his representative will be invited by the local board to meet with the search committee to discuss legal requirements and other procedural matters to be followed and to provide any technical assistance to the search committee that is deemed appropriate.

B. The search committee will then continue with the search process according to its procedures.

C. The search committee/board of trustees shall select at least three but not more than seven applicants as finalists for the position. When the search committee/board of trustees has selected the applicants for president that it wishes to consider as finalists, the applications of the finalists will be made available to the State Board. The State Board will review the applications of the finalists, express to the trustee search committee/board of trustee chairman any comments it may have about any of the final applicants, and establish the salary that is available from state funds for each final applicant.

D. The search committee/board of trustees will then proceed with the final selection process and recommend its final selection to the State Board for approval as provided in G.S. 115D-20 (1).

E. Written notification of the college board's selection will be forwarded to the system president by the board chairman at least 15 calendar days before the next regular meeting of the State Board. Upon receipt of the letter, the system president shall as soon as practical notify members of the State Board.

F. The State Board shall act upon the college board's selection at its

next regular meeting unless delayed for cause.

G. The action of the State Board on the approval of the college board's selection of its new president shall be conveyed in writing to the chairman of the board of trustees by the chairman of the State Board.

Presidential Evaluation

> *"College and university presidents live in the public domain. No matter what the size or complexity or status, public or private, of the institution, the president's decisions (or indecisions) affect its well-being and the lives of those who make up the educational community. Those decisions are under scrutiny and are met with approval or disapproval, often with both and rarely with indifference. Faculty, students, trustees, staff, alumni, donors, state education officers, legislators, church officials, taxpayers and local citizens have always passed judgment on the president's personality, attitudes, decisions and performance, and they always will."*[1]

Thus states John W. Nason on evaluation of presidents. Dr. Nason further states in his book that in recent years there has been a trend to more formalized evaluation of presidents. The reason for this is not simple but rather stems from the phenomenal changes that have occurred in postsecondary education.

North Carolina was among the pioneers in the community college movement that swept the country in the early 1960's. Presidents were lured from other educational agencies and the private sector. Universities developed graduate programs to educate potential presidents. Enrollments in these new institutions soared. Technology advanced at a greater pace than ever in history. Campus life was different from the traditional and comfortable patterns. Legislative appropriations were ever increasing. As the institutions reached the age of maturity, the trustees began to experience the need for critical examination of each institution and those responsible for its educational programs and governance.

The State Board of Community Colleges has adopted the following procedure for evaluation of institutional presidents.

Purpose

Presidential evaluation is designed to improve the quality of the community college system, and the process of evaluation is intended to

stimulate the leadership and productivity of the president:

> *"The purpose of the evaluation is to enable the (local) board to assess the performance of the president so as to:*
>
> *(1) close the gap between presidential authority and accountability, ...*
>
> *(2) ensure that the board and the president concur on mutually agreed-upon goals toward which the college is moving, ...*
>
> *(3) identify strengths and weaknesses of the president and the college, ...*
>
> *(4) define ... the scope and role of the office and the president's performance in it.*
>
> *This evaluation will hopefully enhance both trustee and presidential comprehension and service."*[2]

Procedure

The board of trustees will conduct an annual evaluation of its president. The chairperson of the board of trustees will notify, in writing, the chairperson of the State Board of Community Colleges prior to June 30 of each year that such evaluation has been completed. The evaluation process should be:

1. ***General Administration*** —- Topics in this section may include: management techniques and style; routine administration; day-to-day operations; institutional leadership; motivational skills; long-range planning; institutional goal establishment; and the ability to delegate, to distinguish between policy and administration, and to implement and interpret board policy.
2. ***Relationships*** —- Maintaining good communications internally ensures a wholesome institutional climate, and maintaining them externally is essential to public support which ensures sufficient financial resources. Internal relationships may include those with trustees, students, graduates, faculty, and staff; and external relationships may include those with the general community, business, and industry, government (county, state, federal), State Board, other educational groups, and media.
3. ***Personal Attributes*** —- These may include: communication skills; people-oriented skills; moral character; and personal characteristics such as fairness, tactfulness, resourcefulness, reliability, professionalism, creativity, innovativeness, even temperament,

good judgment, and the ability to sell the institution to the community.

4. ***Personnel Administration*** —· Areas may include the president's ability to: recommend (select) qualified individuals, follow personnel policies and procedures, evaluate staff performance, provide opportunities for staff development and accessibility to staff.
5. ***Fiscal and Facilities Administration*** —· Topics may include: campus maintenance, budget development process, budget control, resource development program, foundations, facilities master plan, and an institutional budget that reflects the goals and objectives of the institution.
6. ***Academic Administration*** —· Topics may include: educational programs that are relevant to community, student, and business and industry needs; quality of faculty; quality of teaching; quality of graduates and completers; program quality and efficiency evaluation; and development and maintenance of an educational long-range plan.

Financing the Community College System

The appropriation of funds to meet the basic financial requirements of the colleges is the responsibility of the state legislature and the respective boards of county commissioners. By law, the State Board of Community Colleges is responsible for allocating state funds to meet the financial needs of the institutions in accordance with the policies and regulations of the board. The State Board has delegated authority to the college trustees to disburse the funds within these policies and regulations.

Sources of funding for the college include state, federal and local governments as well as student tuition payments.

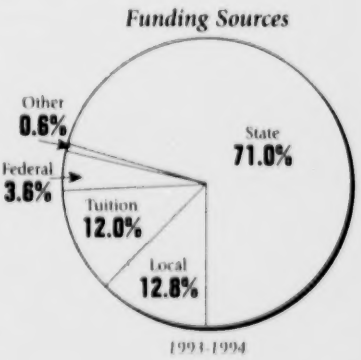
State current operating funds are largely used by community college system institutions for educational and administrative expenses. State capital funds are used for equipment, library books, acquisition of land and capital construction.

Local current operating funds are used for plant operation and maintenance and may be used to supplement any state current operating fund budget item. Local capital fund appropriations are for capital projects including land acquisition and construction. No college is permitted to incur debt.

It is the intent of the community college system to minimize the out-of-pocket expense to students who can benefit from the educational services that it provides. For that reason, tuition is kept as low as possible. In addition, state and federal aid is provided by grants, loans, and scholarships. Many private companies have established scholarship funds at the local and state level.

The distribution of funding is generally as follows:

State funds are deposited into the State Treasury. Local funds are deposited into local financial institutions selected by the boards of trustees pursuant to state requirements. The largest portion of college funding is allocated to the 59 institutions based on a formula adopted by the State Board of Community Colleges. This formula is stated in Section 2D.0300 of the North Carolina Administrative Code (commonly referred to as APA). Other funds are appropriated by the legislature and federal government for special purposes.



Oversight of all college funds is the responsibility of the board of trustees. Final approval of institution budgets is by the State Board of Community Colleges. The college boards are responsible for using these funds in accordance with State Board policies as well as state and federal laws and regulations.

Periodically, the Community College System office audits the enrollment records of the institutions. The State Auditor audits college financial records.

North Carolina's fiscal year runs from July 1 to June 30. Unless otherwise specified, all funds not expended during that period revert to the general treasury and are available to the legislature for reappropriation.

Development of the Local Budget Request

An annual responsibility of the board of trustees is development of the local budget request to be submitted to the board of county commissioners for the required and supplemental appropriation for the college. Ordinarily, the local budget is submitted in early spring. Trustees must ensure that the request is adequately documented as to objectives and needs. Working with county commissioners is a year-round task to keep them apprised of the services and needs of the college. In the following sections suggestions for working with legislators apply in most respects to working with county commissioners.

Working With Legislators

The North Carolina legislature is the source of about 71% of the institution's revenue. Legislators possess the power to control the financial future of the institution. They must be informed of the services the colleges provide the citizens (their constituents) and what is needed to continue as well as improve those services. Trustees should know about and recognize the legislators' efforts on their behalf.

The major portion of the funds provided by the General Assembly for community colleges are appropriated to the State Board of Community Colleges to be allocated to the institutions on a fair and equitable basis. In recent years, funds have been allocated to individual institutions either through special bills or special provisions in the Appropriations Act. These, too, flow through the State Board.

The process for requesting funds is long and complicated. In North Carolina the development of a biennial budget request for the community college system begins at least one year in advance. It goes through several stages before reaching the General Assembly and may be modified at any stage before final approval is given by the State Board of Community Colleges.

Development of the State Budget Request

There are two types of budget appropriations made by the General Assembly -Continuation Budget and Expansion Budget. The Continuation Budget is developed first and is based on the amount that is needed to continue the services currently being provided. The Expansion Budget is developed next and is a projection of additional funds that are needed to provide additional services and to construct new buildings. Both budgets are developed by the System office in cooperation with the presidents and trustees.

The budgetary process begins about 12 months before the General Assembly convenes. The system office staff solicits information from the presidents and trustees about the projected needs of their institutions and the system as a whole. A proposed budget is then developed. The proposed budget is then sent to the presidents and trustees to rank the budget items in priority order. The responses are tabulated and a budget is then prepared for submission to the State Board of Community Colleges for approval. Following deliberation and approval by the State Board of Community Colleges, the budget is submitted to the Advisory Budget Commission, the State Budget Office, and ultimately to the General Assembly.

After the legislature convenes, the community college system portion of the State Budget is referred to Senate and House Appropriations Committees where it receives close scrutiny and is often altered before being considered by the full legislative body.

Support for the System's Proposal

It is important that trustees support the system-wide request. When the General Assembly receives the official request from the State Board, it has been through a rigorous process and reflects the needs of the system. Trustees and presidents, as well as the State Board of Community Colleges and the System President, can help sell the budget request to the legislators. A united effort can have a tremendous impact.

Working With Individual Legislators

There are some key points in organizing an effective legislative program.

1. Designate a person/persons to work with each legislator. This person should be a voter in the district of that legislator (if possible) , be acquainted with the legislator, be informed, and operate with diplomacy.
2. Get to know the legislators and become familiar with their backgrounds. Find out what committee(s) they serve on, if they are leaders, have any pet projects or peeves, and if there is any information that will help in cultivating their confidence.
3. Develop an ongoing working relationship. Invite them to important events of the institution - board meetings, faculty orientations, graduations, and social events. Ask them to be guest lecturers. They are politicians who are interested in their constituents. If trustees help them achieve their goals while the board is achieving its goals, everyone will win.
4. Communicate the college needs to legislators and let them decide how they will help. Remember that your college is part of a system and do not insist that your board's project be given priority over another one.

How to Communicate With Legislators

A board member will want to express opinions to elected representatives on major issues as they develop. Legislators want the help,

guidance, ideas, praise and constructive criticism of their constituents. The best contact, of course, is made face-to-face, but that often is impossible.

Here are some tips on calling and writing a member of congress or state senator or representative.

When the General Assembly and Congress are in session, a phone call to members about issues of concern is frequently necessary. If the member is not available to talk, leave a message with a staff assistant. This is often just as effective as a personal conversation, especially during very busy times.

Write a personal letter and sign it. Form letters are not effective. Limit the letter to one issue, preferably identified by the bill number or popular name. Include reasons for making the request. Be courteous. Send the letter when it will count the most. A letter sent too early is as ineffective as one that is sent too late; both lose their impact.

Know which committees the legislator serves on. Committee hearings are held before the measure reaches the floor for action which gives legislators more thorough knowledge, and thus, more influence on the subject. This is the best time for trustees to voice their ideas or concerns about a particular bill.

Don't write more than once or twice on the same subject. Get others to add their voices.

Be sure to express appreciation for work well done, a good speech or favorable vote, or fine leadership in committee or on the floor. Politicians are human, too.

How to Address a Legislator

Inside and Envelope Address	Salutation	Closing
United States Senator *The Honorable John Doe* United States Senate Senate Office Building Washington, DC 20510	Dear Senator Doe:	Sincerely yours,
United States Representative *The Honorable Jane Doe* House of Representatives House Office Building Washington, DC 20515	Dear Representative Doe:	Sincerely yours,
State Senator *The Honorable John Doe* State Senate Legislative Building Raleigh, NC 27611	Dear Senator Doe:	Sincerely yours,
State Representatives *The Honorable Jane Doe* House of Representatives Legislative Building Raleigh, NC 27611	Dear Representative Doe:	Sincerely yours

Appendices

APPENDIX A

Code of Ethics for Community College Trustees

As a trustee and keeper of the public trust, I will:

1. Become knowledgeable so that I can execute my duties and carry out my responsibilities in a creditable manner.
2. Place high priority on attendance and punctuality at all board meetings.
3. Cooperate with my fellow board members and respect their differences of opinion.
4. Vote my honest conviction on all issues based on fact and concern for all persons affected rather than on personal bias or political or other outside pressure.
5. Support all policy votes of the board regardless of how I voted.
6. Remember that the president, board chairman or the board as a whole are the only official spokespersons for the institution.
7. Support the president as chief administrative officer of the institution.
8. Direct to the president all complaints or criticisms brought to me about either the institution or the president.
9. Resist the temptation to use my position for personal gain.
10. Place as high a priority on the educational programs of the institution as I do on the business of college operation.
11. Function as a policy-maker and not an administrator of the institution.
12. Understand and abide by the Open Meetings Law by encouraging attendance of interested citizens, organizations, and the media when current institution operations and future plans are being discussed.
13. Solicit support of county commissioners, legislators and private companies in obtaining funds for the operation and maintenance of the institution.
14. Support the state and national community college trustees associations.
15. Strive constantly toward ideal conditions for the most effective board service.

APPENDIX B

Legal Responsibility of the Local Board

Chapter 115D of the General Statutes of North Carolina contains the laws governing the community college system. Chapter 115, 115B and 116 also contain laws that affect the system. *Community College Laws of North Carolina* as well as *North Carolina's Open Meetings Law* (Article 33C of Chapter 143 of the General Statutes of North Carolina) may be obtained from the Department of Community Colleges.

In November of 1986, Edwin M. Speas, Jr., Special Deputy Attorney General of North Carolina, made the following remarks to the Association of Community College Trustees at their regional meetings. It contains valuable information concerning legal responsibilities of boards of trustees.

The community college system in North Carolina has been reasonably free from litigation. This circumstance is probably explained by a number of factors, but it surely suggests that community college trustees are generally well-versed in their legal duties and responsibilities. It also suggests that the leaders of the community college system have been wise and prudent in carrying out their duties. Perhaps a brief, broad review of the legal duties and responsibilities of trustees will help maintain this enviable record.

It is, of course, impossible to review all the duties and responsibilities of trustees at less than textbook-length, and for every basic legal principle bear in mind that there are exceptions. It is always important, however, to review from time to time the basic sources of trustee's legal responsibilities, the limitations upon those responsibilities, and some basic principles that may assist trustees in meeting their responsibilities.

The legal responsibilities of trustees can be categorized in several ways. For purposes of emphasizing the source and scope of those responsibilities, the following categorization is useful:

Responsibility to the General Assembly

Trustees of community colleges have a responsibility to the citizens of the State to comply with their directions expressed through their representatives in the General Assembly in the form of legislative enactments. As public officers they are bound

to abide by the provisions of the laws enacted by the General Assembly. Indeed, the only source of powers of trustees of community colleges is legislative enactment. Community colleges and their boards of trustees are creatures of the legislature, and have only those powers expressly granted. In this regard, community colleges are different than their sisters in North Carolina's educational system. The State Board of Education and the University of North Carolina are creatures of our constitution and derive their powers both from the Constitution and the legislature.

Responsibility to the State Board of Community Colleges

Trustees of community colleges have a responsibility to abide by regulations adopted by the State Board of Community Colleges. The State Board has been granted overall responsibility for the supervision of the community college system, much like the State Board of Education has been granted overall responsibility for the supervision of the public school system and the Board of Governors of the University of North Carolina has been granted responsibility for supervision of the State's system of higher education. This authority of the Board of Community Colleges includes the power to issue regulations binding upon community colleges, just as the State Board of Education and the University of North Carolina have that power with respect to institutions within their systems.

The State Board of Community Colleges' power to adopt rules binding upon institutions within the system is almost as broad as that of the State Board of Education and the Board of Governors. The State Board of Community Colleges has been granted the discretionary power to adopt any rule it determines necessary for the operation and administration of the community college system, and institutions within the system are bound to abide by those rules that the State Board in its discretion adopts.

Responsibility to Faculty and Staff

Trustees of community colleges have a responsibility to the faculty and staff of their institutions not to discriminate against them on the basis of race, color, sex, national origin, age, religion, and handicap in connection with their employment. In other words, trustees of community colleges, like all other public officials, have a responsibility to refrain from making

employment decisions based upon factors, such as race, that bear no relationship to a person's ability to function effectively as a public employee. There are many sources of this responsibility, including the Equal Protection and Due Process Clauses of our State Constitution and the United States Constitution and numerous civil rights laws enacted by Congress. Trustees also have a legal responsibility to faculty and staff to provide them with due process (that is, notice and a hearing) before depriving them of a property right. This responsibility arises under the Due Process Clause of the United States and North Carolina Constitutions. Faculty and staff have a property right in completing the period of employment specified in their contracts, and are entitled to due process if their employment is terminated before their contracts expire. But faculty and staff do not have a property right in the renewal of their contract at the end of the period specified in their contracts, and thus they have no right to due process in that circumstance.

Responsibility to Students

Trustees of community colleges have a legal responsibility to provide students with an opportunity for an education without regard for race, sex, national origin, age, religion and handicap. In other words, just as trustees have a responsibility to refrain from making employment decisions based upon factors not related to work performance, they have a responsibility to refrain from basing decisions regarding students on factors not related to the learning process. This responsibility arises under our State Constitution and the Constitution of the United States. Trustees also have responsibilities to students under the Due Process Clauses of the North Carolina and United States Constitutions. These responsibilities, however, only arise in regard to the dismissal of students from school because of misconduct. Except perhaps in unusual circumstances, students do not have any due process rights in connection with academic decisions, including decisions to dismiss students for academic reasons.

General Responsibility

Finally, trustees have a general duty, as implied by their oath of office, to perform the duties of their office fairly, conscientiously, without fear or favor. This responsibility is to some extent codified in the State laws prohibiting public officers

from making contracts for their own benefit.

These are only some of the responsibilities of trustees. There are many others included under each of these five categories. Essentially trustee's legal responsibilities are determined by the context in which they serve and the rights of those persons whom they were appointed to supervise and serve. Trustees of community colleges are part of a system. They perform their responsibilities within the system subject to the direction of the General Assembly and State Board of Community Colleges. Further, they must perform their responsibilities consistent with the rights of faculty, staff and students.

How many trustees meet all of these responsibilities? While their responsibilities are many and complex, there are some relatively simple rules that may be applied by trustees in performing their duties which should help them meet their responsibilities:

1. *Become generally familiar with the laws enacted by the General Assembly and regulations enacted by the State Board of Community Colleges. Trustees need not necessarily be familiar with these laws and regulations in detail, but they ought to be familiar with the areas in which the General Assembly and State Board have acted so that they may make their decisions accordingly.*
2. *Recognize the types of decisions trustees are called upon to make that may lead to litigation. The most likely source of litigation is employment decisions. By one estimate, any given employment decision is potentially the source of twenty legal claims. Other likely sources of litigation are decisions to discipline students, to meet in nonpublic sessions, to withhold records and to sell or acquire property.*
3. *Recognize the signs of potential litigation. Repeated complaints or concerns from administrators, employees, students or the public may suggest that litigation is forthcoming.*
4. *Check decisions to make sure they have a sound basis in educational policy. If a decision has a sound basis in educational policy, that decision can almost always be defended successfully in court. As a corollary, check decisions to make sure that factors extraneous to sound policy have not influenced those decisions.*
5. *Follow established procedures. Sometimes there is a tendency to think that procedures serve no useful purpose. (As one legal scholar observed, "In heaven there will be no*

law; in hell there will be nothing but law, and due process will be carefully observed"). But remember that carefully developed procedures help assure correct decisions uninfluenced by extraneous matters.

6. *Be consistent in making decisions. If an educational policy is applied in one situation, that policy ought to be applied in similar situations to reach the same decision, absent some reasonable distinction between the situations.*
7. *Consult an attorney before making a decision that might lead to litigation. Obtaining legal advice before making a decision can often save money and substantial time for trustees and administrators.*

APPENDIX C

Trustee Audit

by Richard T. Ingram
President
Association of Governing Boards of Universities & Colleges
Washington, D.C.

The responsibilities of individual trustees are different from those of boards as corporate entities. The following checklist is designed to help board members assess the extent to which they have absorbed the breadth and depth of their roles and institutions. The questions seem somewhat imposing, but they are not intended to cause acute trustee or presidential depression. A "perfect score" is an unreasonable expectation.

Candid responses can be helpful to the design of orientation programs for new board members, or future workshops and retreats. The checklist for new board members, or future workshops and retreats. The checklist can be adapted to the unique characteristics of your particular institution. It was developed by Richard T. Ingram, executive vice president (now president) of AGB,as part of a handbook of College and University Trusteeship, Jossey-Bass, April, 1980.* The questions are the result of the scrutiny of a number of chief executives and trustees.

	Background	Yes	No	Somewhat or Sometimes
1.	Do you feel you have adequate opportunity to understand your obligations, responsibilities and opportunities for growth as a trustee?	____	____	____
2.	Have you a clear grasp of your board's responsibilities?	____	____	____
3.	If you have answered yes to either or both questions, what has been the primary source(s) of your information? (e.g., an orientation program, a particular individual, a book, prior service as a board member.)			
	_____			
	_____			
	_____			
4.	Are you familiar with your institution's stated mission, institutional plan and current policies?	____	____	____

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	Yes	No	Somewhat or Sometimes
5. Do you stay abreast of higher education trends, legislation and other public policy by reading AGB News Notes, The Chronical of Higher Education, AGB Reports and other material?	____	____	____
6. Have you adequate opportunities to meet with trustees and educators from other institutions?	____	____	____
7. Do you have adequate opportunities to know your fellow trustees?	____	____	____
8. Do you find any conflict between your responsibility for the welfare and advancement of your institution and your responsibility to the citizens of your region, state or nation?	____	____	____

9. What do you feel are your strongest areas of expertise based on your background and experience (x):

___ Budget/Finance	___ Student Affairs
___ Investments	___ Faculty Affairs
___ Management	___ Fund Raising
___ Planning	___ Public Relations
___ Legal Affairs	___ Marketing
___ Plant Mgt.	___ Govt. Relations
___ Real Estate	___ Other: _____
___ Education	_____

10. Now go back and indicate any primary areas of interest outside of your areas of expertise (#).

Knowledge of the Institution

11. Are you familiar with your institution's recent history and what makes it distinctive from neighboring colleges and universities?	____	____	____

12 Cite three of its special strengths:
a)_____
b)_____
c)_____

13. nd its three greatest needs:
a)_____
b)_____
c)_____

14. Do you feel well informed about the type and quality of your institution's educational programs?	____	____	____
15. Have you attended a campus event within the past year?	____	____	____
16. Do you regularly read the campus newspaper or faculty or student organization minutes?	____	____	____

	Yes	No	Somewhat or Sometimes
17. Do you know the names of your institution's			
a) Key administrators?	____	____	____
b) Faculty leaders?	____	____	____
c) Student leaders?	____	____	____
18. Have you met some of them apart from board meetings?	____	____	____
19. Are you acquainted with the physical plant and maintenance needs of your institution?	____	____	____
Board and Committee Meetings			
20. Are you satisfied with your attendance at board and committee meetings?	____	____	____
21. Do you read the minutes of meetings to determine whether they faithfully represent the proceedings and decisions as you recall them?	____	____	____
22. Do you prepare for board meetings by reading agendas and support materials?	____	____	____
23. Do you sometimes suggest agenda items?	____	____	____
24. Do you help board and committee meetings to steer clear of nonpolicy matters better left to the administration?	____	____	____
Fund Raising and Public Relations			
25. Do you contribute a gift to your institution according to your means for:			
a) Annual operations?	____	____	____
b) Capital campaigns?	____	____	____
26. Within the past year or two, have you helped secure a gift from an individual, corporation or other source?	____	____	____
27. Have you recently taken advantage of an opportunity to say a good word about your institution to a policymaker or organization at the state level?	____	____	____
28. Do you take advantage of opportunities to inform other groups or persons about your institution or higher education generally?	____	____	____
Trustee Concerns			
29. Do you understand the concept of "fund-accounting"?	____	____	____
30. Do you find your institution's financial statements intelligible?	____	____	____
31. Are you mindful of your institution's stated mission, institutional plan, and current policies when voting on proposals presented to the board?	____	____	____

	Yes	No	Somewhat or Sometimes
32. Do you feel you are sensitive to the concerns of students and faculty while maintaining impartiality and a total institutional perspective?	____	____	____
33. Do you help meet the needs of your chief executive for occasional counsel and support in his or her often difficult relationships with groups on- and off-campus?	____	____	____
34. Do you appreciate the importance of keeping your chief executive informed in the event you establish personal communication lines with individuals on campus, and of the need to avoid prejudiced judgments on the basis of such relationships?	____	____	____
35. Have you ever suggested to the board's nominating committee or the appointing authority someone who would make an outstanding new board member?	____	____	____
36. Are you satisfied that there are no real or apparent conflicts of interest in your service as a trustee?	____	____	____
37. Do you avoid asking special favors of the administration, including requests for information without the knowledge of at least the board or committee chairman?	____	____	____
38. If you have not already done so, would you be willing to serve as a committee chairman or board officer?	____	____	
Why (or why not)? _____			
39. Have you found your trusteeship to be stimulating and rewarding thus far?	____	____	
Why (or why not)? _____			

40. How would you rate yourself as a trustee at this time?
Above Average _____ Average _____ Below Average _____

General Assessment

1. What issues have most occupied the board's time and attention during the past year?

2. What were the one or two successes during the past year for which the board feels some satisfaction?

3. What particular shortcomings do you see in the board's organization or performance that need attention?

4. Other comments or suggestions?

APPENDIX D

Glossary of Terms

ACADEMIC QUARTER: An 11 week period during which credit classes are offered.

ACADEMIC YEAR: The period of the regular session, generally extending from September to early June, divided into three quarters.

ACCREDITATION: A formal means of recognizing an institution for maintaining standards that qualify the graduates for admission to higher institutions or for professional practice. Accrediting agencies are responsible for establishing the standards and evaluating the schools' compliance with them (e.g. Southern Association of Colleges & Schools, American Dental Association, Engineering).

ACCOUNTABILITY: The acceptance of personal responsibility for achievement of predetermined measurable objectives.

ADULT BASIC EDUCATION (ABE): A fundamental education program designed for adults 16 years old or older who have not completed the eighth-grade or who functional t less than the eighth-grade level.

ADULT EDUCATION: Programs offered by a community college or technical institute that provides opportunities for adults and out-of-school youth to further their education.

AFFIRMATIVE ACTION: The action which federal law now requires of institution to provide better and more equal job access for women and minorities.

APPROPRIATION: The act by which the legislature provides the state dollars for operation of an institution. Funds are appropriated to the State Board of Community Colleges to be distributed to the institutions.

ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES (ACCT): A nonprofit international association with headquarters in Washington, D.C., that seeks to unify, promote, encourage , and develop two-year institutions through the expertise and insight of trustee leadership.

ASSOCIATION OF GOVERNING BOARDS OF UNIVERSITIES AND COLLEGES (AGB): A nonprofit educational organization of governing, coordinating, and advisory boards of post-secondary education. AGB exists to help its members fulfill their roles and meet their responsibilities. Headquarters are in Washington, D.C.

BASE BUDGET: Appropriations made by the legislature to fund the current level of operation.

BIENNIUM: A two-year period for which an agency builds a budget.

CAPITAL OUTLAY: Capital outlay expenditures are those that result in the acquisition of fixed assets or additions to fixed assets (i.e., expenditures for land, buildings, or equipment).

CATEGORICAL FUNDS (Restricted): Funds from a federal, state, local, or private source that are restricted to expenditures in a particular category or program.

CERTIFICATION: A voluntary form of recognition for knowledge and skills in a particular profession.

CLOCK HOUR: One hour of instruction given one student class periods from 50-60 minutes may be counted as one clock hour depending on the type of instruction delivered.

COMPENSATORY EDUCATION: A special state-funded educational program for mentally retarded adults (over 17 years of age).

COMPETENCY-BASED INSTRUCTION: Instruction based on measurable student performance outcomes consistent with the skills and knowledge needed by an entry-level employee in a particular field.

COOPERATIVE SKILLS TRAINING: A training program specifically designed to provide customized training for existing industry. This training can be provided on campus or at the industrial site.

CREDIT HOUR: An instruction unit for recognition of the amount of credit a student earns for a given course. Example: Quarter Credit Hour-A student who spends one hour per week in a class for 11 weeks earns one quarter hour credit.

CURRENT EXPENSE: Funds used for the general operation of the general operation of the institution to include salaries, benefits, and other instructional costs.

DEVELOPMENTAL EDUCATION: A program providing specialized credit courses for students who need to improve their basic skills in order to perform at the level required for admission to degree and diploma programs. Usually these courses are in reading, writing, and mathematics.

EXPANSION BUDGET: Additional funds from the legislature to increase the quantity or quality of services rendered.

FISCAL YEAR: The 12-month period upon which the institution's budget is based, July 1 - June 30.

FULL-TIME EQUIVALENT (FTE): One full-time equivalent (FTE) student represents 16 student membership hours per week for 11 weeks or 176 student membership hours for each quarter enrolled.

- Average Annual FTE: The average of the summer, fall, winter, and spring FTE or the average FTE developed over an entire school year.
- FOUR-Quarter Average FTE: The average of the FTE developed in any consecutive four-quarter period.
- Budget Full-Time Equivalent (B/FTE): Used to prepare the operating budget and to provide for an equitable distribution of the operating funds allocated by the State Board to institutions.
- Equipment Full-Time Equivalent (E/FTE): Used to prepare the equipment budget and to provide for an equitable distribution of the equipment funds allocated by the State Board to the institutions.
- Library Full-Time Equivalent (L/FTE): Used to prepare the library budget to provide for an equitable distribution of library funds allocated for the purchase of library books and audiovisual materials.
- Credit Hour Full-Time Equivalent (C/FTE): Used in furnishing data to

North Carolina Commission on Higher Education Facilities and the University of North Carolina.

- Construction Full-Time Equivalent (C/FTE): Used to determine priorities and institutional eligibility for federal and state construction funds for the institutions.

FULL-TIME STUDENTS: A student is considered full time if he/she carries 12 or more quarter hours of classes.

GENERAL EDUCATION DEVELOPMENT (GED): A high school equivalency program enabling adult to take the General Education Development Tests to determine if they are at the 12th grade completion level of English, social studies, science, reading, and math. Individuals achieving the required scores on the GED are awarded the High School Equivalency Diploma. The program is open to individual 18 years or older.

HUMAN RESOURCE DEVELOPMENT (HRD): A program for the chronically unemployed adults with prevocational training and counseling.

JOB TRAINING PARTNERSHIP ACT (JTPA): A federal program designed to provide job training and employment opportunities for economically disadvantaged, unemployed, or underemployed persons.

NON-CREDIT (EXTENSION) COURSES: Courses provided through the division of continuing education for professional training or upgrading or general interest.

OCCUPATIONAL EDUCATION: Any type of instruction training (credit or non-credit) that prepares one to enter an occupation.

OTHER COSTS: "Other Costs" is a term describing current instructional and operating instructional support costs excluding personnel and the associated fringe benefits. The term is used for supplies, travel, postage, etc.

PELL GRANTS: A form of federal financial aid for students.

TECHNICAL PROGRAMS (ASSOCIATE DEGREE PROGRAMS): A term generally used to describe associate degree programs in the N. C. Community College system (sometimes referred to as two-year programs).

UNDUPLICATED HEADCOUNT: The total number of students (both full time and part time) enrolled in all courses during a year. Each student is counted only once during the year regardless of the number of classes he takes or the number of quarters for which he registers.

VOCATIONAL PROGRAMS (DIPLOMA PROGRAMS): A term generally used to describe diploma programs in the N. C. Community College system (sometimes referred to as one-year programs).

APPENDIX E

Acronyms

A.A.	Associate in Arts
AACC	American Association of Community Colleges
A.A.S.	Associate in Applied Science
AASA	American Association of School Administrators
ABE	Adult Basic Education
ABLE	Adult Basic Literacy Education
ACCT	Association of Community College Trustees
AGB	Association of Governing Boards
A.P.A.	Administrative Procedures Act
A.S.	Associate in Science
AVA	American Vocational Association
BEOG	Basic Educational Opportunity Grants
CC	Community College
COF	Commission on the Future
EEOC	Equal Employment Opportunity Commission
EPA	Environmental Protection Agency
ERIC	Educational Resources Information Center
ETS	Educational Testing Service
FIPSE	Fund for the Improvement of Postsecondary Education
FTE	Full-time Equivalent
GED	General Educational Development Test
HEFA	Higher Education Facilities Act
HEGIS	Higher Education General Information Survey
HEW	Health, Education and Welfare
LPN	Licensed Practical Nurse
LRC	Learning Resources Center
NCACCT	North Carolina Association of Community College Trustees
OCR	Office of Civil Rights
OJT	On-the-Job Training
OMB	Office of Management and Budget
PLATO	Programmed Logic for Automatic Teaching Operation
SACS	Southern Association of Colleges and Schools
SAT	Scholastic Aptitude Test
SBCC	State Board of Community Colleges
SREB	Southern Regional Education Board
TQM	Total Quality Management

APPENDIX F

Recommended Reading For Trustees

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Periodicals

ACCT Trustee Quarterly. 4 issues per year, Association of Community College Trustees, 1740 "N" Street, NW, Washington, DC 20036.

AGB Reports. 6 issues per year, Association of Governing Boards of Universities and Colleges, One Dupont Circle, Suite 720, Washington, D.C. 20036

Chronicle of Higher Education (The). weekly, 1717 Massachusetts Avenue, N.W., Washington, D.C. 20036

Community College Journal (The). 6 issues per year, American Association of Community Colleges, One Dupont Circle, N.W., Washington, D.C. 20036

Community College Review. quarterly, Department of Adult and Community College Education, College of Education, North Carolina State University, Raleigh, NC.

Community College Times. biweekly, American Association of Community Colleges, One Dupont Circle NW, Suite 410, Washington, DC 20036-1176.

Community College Week. biweekly, Cox, Matthews & Associates, Inc., 10520 Warwick Avenue, Suite B-8, Fairfax, Va. 22030.

REVIEW. 4 issues per year, North Carolina Association of Community College Trustees, 1135 Kildaire Farm Road, The Lawrence Building, Suite 200, Cary, N.C. 27511.

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North Carolina Association of Community College Trustees

Presidents of the Association

1967 -	W. Stanley Moore, Temporary President Western Piedmont Community College
1967 -	James Pierce, Organizational Chairman Technical Institute of Alamance
1967-68	Paul Thompson Fayetteville Technical Institute
1968-70	Robert Lee Humber Pitt Technical Institute
1970-72	H. Clifton Blue Sandhills Community College
1972-74	J. C. Robbins Sandhills Community College
1974-76	W. E. (Billy) Mills Coastal Carolina Community College
1976-78	Edward Stowe Gaston College
1978-80	Wallace W. Gee Technical College of Alamance
1980-82	George Morgan Central Piedmont Community College
1982-84	C. Louis Shields Coastal Carolina Community College
1984-86	Robert C. Carpenter Southwestern Technical College
1986-88	Kathleen S. Orringer Craven Community College
1988-90	B. E. Mendenhall Davidson Community College
1990-92	Talmage Penland Asheville-Buncombe Technical Comm. College
1992-94	Dewitt Rhoades Forsyth Technical Community College
1994-96	George W. Little Sandhills Community College

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